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RECEIVED

TO: MR. THOMAS M. DORMAN
EXECUTIVE DIRECTOR
PUBLIC SERVICE COMMISSION
CASE NO. 2004-00029
211 SOWER BOULEVARD
P.O. BOX 615
FRANKFORT KY 40602-0615

FEB 12 2004

PUBLIC SERVICE
COMMISSION

I REQUEST FULL INTERVENTION IN PSC CASE NO. 2004-00029, WHICH CONCERNS A REQUEST FOR THE PSC TO APPROVE THE TRANSFER AND SALE OF WASTEWATER TREATMENT ASSETS AND BUSINESS OF ORCHARD GRASS UTILITIES TO OLDHAM COUNTY SEWER DISTRICT.

IN ACCORDANCE WITH 807 KAR 5:001(3) (8), I FEEL THAT I HAVE A SPECIAL INTEREST IN THIS PROCEEDING WHICH IS NOT OTHERWISE ADEQUATELY REPRESENTED AND THAT I AM LIKELY TO PRESENT ISSUES OR DEVELOP FACTS THAT WILL ASSIST THE PSC WITHOUT COMPLICATING OR DISRUPTING THE PROCEEDINGS. IN SUPPORT I STATE THE FOLLOWING:

1. I DO NOT FEEL THE ACQUISITION OF THE ORCHARD GRASS UTILITIES IS IN THE PUBLIC INTEREST.
2. I HAVE BEEN A RESIDENT OF WILLOW CREEK SUBDIVISION SINCE 1980. THERE IS A SEWAGE TREATMENT FACILITY LOCATED IN WILLOW CREEK SUBDIVISION.
3. WILLOW CREEK SUBDIVISION IS SPLIT BY THE OLDHAM JEFFERSON COUNTY LINE. THE COUNTY LINE PASSES THROUGH MY PROPERTY. THE BOUNDARY IS IN DISPUTE BETWEEN THE COUNTIES, THERE IS A DE FACTO LINE BUT NOT DE JURE.
4. OLDHAM COUNTY FISCAL COURT HAS AUTHORIZED THE OLDHAM COUNTY SEWAGE DISTRICT TO ACQUIRE SEWAGE TREATMENT FACILITIES IN OLDHAM COUNTY ONLY.
5. I WAS GRANTED FULL INTERVENTION IN PSC CASE 97-456, WHICH WAS AN INCREASE IN SEWAGE CHARGE FOR WILLOW CREEK SEWAGE. THERE WERE NUMEROUS CHARGES PROPOSED BY WILLOW CREEK SEWAGE THAT WERE NOT APPROVED BY THE PSC IN THAT CASE.
6. THE OLDHAM COUNTY SEWER DISTRICT AND OR OLDHAM COUNTY FISCAL COURT HAVE AGREED TO :
 - A. UNIFORM RATES FOR SEWER COSTS COUNTY WIDE THAT WILL INCREASE THE COSTS BY ABOUT 30% FOR WILLOW CREEK SEWER CUSTOMERS.
 - B. CHANGE THE CURRENT METHODOLOGY OF A \$18 FLAT FEE PER HOUSEHOLD PER MONTH FOR SEWAGE TO ONE BASED ON THE AMOUNT OF WATER USED BY A RATE WITH NO ADJUSTMENT FOR WATER USED FOR

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TASKS SUCH AS SWIMMING POOLS, WATERING LAWNS, GARDENS, ETC. FOR WHICH THE SEWAGE COMPANY IS NOT PROCESSING WASTEWATER.

C. THE UNIFORM RATES WILL CAUSE CUSTOMERS SUCH AS WILLOW CREEK TO SUBSIDIZE OTHER PLANTS WHICH NEED REPAIRS, IMPROVEMENTS, ETC., IN OLDHAM COUNTY.

ROBERT L. MADISON MOVES THE PSC TO:

1. APPROVE MY REQUEST FOR FULL INTERVENTION.
2. DELAY ANY DECISION ON APPROVAL OR DENIAL OF THE TRANSFER OF WILLOW CREEK AND OR ORCHARD GRASS SEWAGE SYSTEMS TO OLDHAM COUNTY SEWER DISTRICT UNTIL THIS CASE IS CONCLUDED.
3. ESTABLISH THE FOLLOWING PROCEDURAL SCHEDULE FOR THIS CASE :

INITIAL REQUEST FOR INFORMATION TO ORCHARD GRASS UTILITIES AND OR OLDHAM COUNTY SEWER DISTRICT FILED NO LATER THAN	3/12/04
ORCHARD GRASS UTILITIES AND OLDHAM COUNTY SEWAGE DISTRICT SHALL FILE RESPONSES TO INFORMATION REQUEST NO LATER THAN	4/09/04
INTERVENORS MAY FILE RESPONSE AND DOCUMENTS NO LATER THAN	5/07/04

THE PUBLIC SERVICE COMMISSION WILL MAKE A DECISION BASED ON THE WRITTEN SUBMISSIONS OF THE PARTIES IN THIS CASE.

I CERTIFY THAT ON 07 FEB 2004, COPIES OF THIS LETTER AND ENCLOSURE WERE MAILED CERTIFIED TO THE PSC, REGULAR MAIL TO:

CARROLL F. COGAN
PRESIDENT
ORCHARD GRASS UTILITIES
1706 BARDSTOWN ROAD
LOUISVILLE KY 40205

FOREST B. EWEN
PRESIDENT
OLDHAM COUNTY SANITATION DISTRICT
7311 HIGHWAY 329 SUITE 542
CRESTWOOD KY 40014

SINCERELY,
Robert L. Madison

ROBERT L. MADISON
5407 BAYWOOD DRIVE
LOUISVILLE KY 40241-1318
HOME PHONE: (502) 241-5079